

Agriculture

Critical Areas Ordinance Information Sheet

King County residents engage in a wide range of agricultural activities including horticulture and livestock.

Agriculture takes place throughout the county. The County has a long history of trying to protect agriculture, including the purchase of development rights to 13,000 acres through the Farmland Preservation Program. The protection of agriculture is one of the 13 goals of the Growth Management Act (GMA). As part of its implementation of the Growth Management Act, King County:

- has established five Agricultural Production Districts (APDs) where agriculture has the highest priority and non-agricultural uses are strictly limited;
- has zoned areas outside the APDs for agriculture; and
- includes agriculture as an allowed use in rural residential areas.

Current requirements

King County's existing regulations distinguish between horticulture and livestock. They also distinguish between agricultural activities that were in existence before 1990 from those that have been initiated since 1990.

Horticulture – Horticulture that was in existence before 1990 and has been in continuous existence since is exempt from existing critical area regulations, including stream and wetland buffers. Activities that are exempt include tilling, mowing, and other horticultural activities. Horticultural activities initiated since 1990 must comply with all critical areas requirements, including stream and wetland buffers.

Livestock – King County adopted the Livestock Management Ordinance in 1994. These regulations establish standards for livestock activities, including:

- number of animals based on lot size;
- requirements for fencing animals away from wetlands and from streams; and
- placement and covering of manure storage areas, depending upon location and season.

Stream and wetland setbacks are 25 feet with a farm management plan and 50 feet without one.

Dairies – Dairy activities are exempt from the Critical Areas Ordinance and the Livestock Ordinance. However, they are subject to the State Nutrient Management Act requirements and to water quality regulations.

Agricultural Drainage Maintenance – The existing regulations do not generally permit dredging of streams that are used by salmon. In the APDs there is an exception to this general rule for the maintenance of agricultural waterways used by salmon. This activity is regulated under the clearing and grading ordinance. The maintenance is allowed under best management practices adopted by King County. King County also has a technical assistance program to help farmers meet the requirements of these standards. Agricultural drainage maintenance outside of the APDs is subject to the standard critical area requirements.

Proposed Ordinance

Horticulture – Aquatic area buffers, for example the 165-foot buffer on a Type S or F stream in the rural area, do not apply to horticultural activities in the APDs or to A-zoned or Farmland Preservation Program (FPP) properties. The buffers also do not apply to existing horticulture on other rural properties. Instead, to address water quality issues, the proposed Critical Areas Ordinance would require existing horticultural activities throughout the county to maintain a vegetated water quality filter strip along streams that are classified as type S or F under the proposed ordinance. The width of the filter strip will depend on the slope of fields adjacent to the stream, the type of soil, and the type of horticulture. The filter strips might be as small as 25 feet. Under the most extreme circumstances, they might be as large as 100 feet.

The requirements for vegetated filter strips and best management practices would apply to existing and newly developing horticultural activities within the Agricultural Production District or on A-zoned or FPP properties. New horticulture on rural residential zoned lots would be subject to the critical area requirements, including required buffers on streams and wetlands.

Where appropriate, horticultural activities would also be required to follow best management practices, such as planting winter cover crops, and developing a farm plan. As with the Livestock Management Ordinance, these requirements for vegetated filter strips and best management practices would be phased in over a five-year period. King County and the King Conservation District are working together to develop a cost share and technical assistance program to assist property owners in meeting the proposed requirements.

Livestock – The existing livestock regulations are largely retained. The exemption from fencing requirements for the Snoqualmie Valley floodplain would be removed. The exemption was designed to address safety concerns about creating a public safety hazard during a flood event. Fencing techniques such as temporary fencing should address these concerns, although the flood debris from fencing will continue as a challenge.

Changes in the classification of streams may alter fencing requirements and manure management on these streams.

Dairies – The exemption of dairies from the livestock ordinance will be removed. Fencing of livestock from waterways will be required. Dairies that meet the requirements of the State Nutrient Management Act will be exempt from the manure management standards of the Livestock Ordinance.

Agricultural Drainage Maintenance – No changes are recommended.

Clearing – The proposed Critical Areas Ordinance includes limitations on the amount of clearing that is allowed on new rural residential lots, including those proposing new agricultural activities. If more than 35 % of the rural residential lot is cleared, the horticultural activity could not expand by clearing additional areas on the lot. These limitations would not apply to new agricultural activities proposed in the APD or on A-zoned or Farmland Preservation properties.

Options

The proposed Critical Areas Ordinance implements Comprehensive Plan policies designed to encourage new and existing agriculture within the Agricultural Production Districts and in other areas specifically designated for agriculture. In order to meet Growth Management Act requirements, King County will be conducting an assessment of the impacts of the proposal for agriculture on aquatic resources, including threatened and endangered species.

Agriculture occurs throughout the rural area. The proposed ordinance does not propose to apply the increased buffers to existing agriculture outside areas designated for agriculture. However, new agriculture outside these areas would be subject to the critical area regulations and clearing limits. It will be difficult to conduct an assessment of allowing new horticulture on any rural residential lot to comply only with the filter strip and best management practices requirements proposed for the APDs.

King County recognizes that agriculture has been a traditional activity in the rural area. The county welcomes suggestions on how agriculture throughout the rural area can remain economically viable while protecting important natural resources and maintaining water quality and watershed health.

To learn more

To learn more, access the following Web site:

<http://www.metrokc.gov/ddes/cao>